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WAYNE CHAN
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IN THE UNITED STATES DISTRICT COURT
THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYNE CHAN, et al.,
Plaintiffs,
v.

JPMORGAN CHASE BANK, N.A.,
Defendant.

) Case No. 16-cv-02497-EMC
)
) **STIPULATION TO CONTINUE CASE**
) **MANAGEMENT CONFERENCE;**
) ~~PROPOSED~~ **ORDER**

1 WHEREAS, on April 6, 2016, Plaintiffs filed this action against Defendant JPMorgan
2 Chase Bank, N.A. ("Chase") in the California Superior Court, San Mateo County;

3 WHEREAS, May 9, 2016, Chase removed this action to this Court;

4 WHEREAS on July 21, 2016, Plaintiffs filed a First Amended Complaint ("FAC");

5 WHEREAS, on July 14, 2016, Plaintiffs submitted a loan modification application to
6 Chase for consideration;

7 WHEREAS, on July 22, 2016, the Parties stipulated to stay this action for 90 days pending
8 the outcome of Plaintiffs' loan modification review;

9 WHEREAS, on July 22, 2016, the Court entered the stay, and ordered the parties to submit
10 a status report within 90 days, advising the Court of (a) the status of Plaintiffs' loan modification
11 application; and the (b) the parties' positions on whether the stay should remain in force or active
12 litigation resumed.

13 WHEREAS on October 19, 2016, the Parties stipulated to extend the stay of this action 90
14 days pending the outcome of Plaintiffs' loan modification review;

15 WHEREAS on October 20, 2016, the Court entered the stay, and scheduled a Case
16 Management Conference for January 26, 2017, ordering a Case Management Conference
17 Statement be filed by January 19, 2017.

18 WHEREAS, since staying this action, in December 2016, Defendants offered, and
19 Plaintiffs accepted a loan modification for the loan that is the subject of this action. The Parties
20 believe that this fact substantially contributes to their ability to informally resolve this case and, to
21 that effect, have continued their communications toward informal resolution of this matter

22 NOW THEREFORE, Plaintiffs and Chase HEREBY STIPULATE AND AGREE AS
23 FOLLOWS:

24 1. The Case Management Conference, scheduled for January 26, 2017 be continued
25 approximately sixty (60) days until March 30, 2017.

26 2. Chase shall have twenty (20) days the date of the Case Management Conference to
27 answer, move to dismiss, or otherwise respond to the FAC.

28

1 IT IS SO STIPULATED.

2 DATED: January 19, 2017

3 DAVIS WRIGHT TREMAINE LLP
4 Joseph E. Addiego III
5 John D. Freed

6 By: /s/ John D. Freed
7 John D. Freed

8 Attorneys for Defendant
9 JPMORGAN CHASE BANK, N.A.

10 MELLEN LAW FIRM
11 Jessica Galletta

12 By: /s/ Jessica Galletta
13 Jessica Galletta

14 One Embarcadero Center, Fifth Floor
15 San Francisco, CA 94111
16 Attorneys for Plaintiffs

17 **CERTIFICATION OF CONCURRENCE**

18 Pursuant to L.R. 5-1, I hereby attest that John Freed has provided his concurrence in the
19 electronic filing of the foregoing document entitled STIPULATION TO CONTINUE CASE
20 MANAGEMENT CONFERENCE; [PROPOSED] ORDER.
21

22 /s/ Jessica Galletta
23 Jessica Galletta
24

~~PROPOSED~~ ORDER

Presently before the Court is the parties' Stipulation to Continue Case Management Conference and good cause appearing, the Court GRANTS the stipulation to permit the parties to pursue informal resolution of this matter as an alternative to litigation. Accordingly, the Case Management Conference, currently scheduled for January 26, 2017, is continued to March 30, 2017. The Parties shall file a Joint Case Management Conference Statement by no later than March 23, 2017.

Chase shall have twenty (20) days the date of the Case Management Conference to answer, move to dismiss, or otherwise respond to Plaintiffs' First Amended Complaint.

SO ORDERED.

Date: January 20, 2017



Hon. Edward M. Chen
United States District Judge